

FILED BY *JD* D.C.

05 JUN -1 PM 6:07

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

*JD*  
05 MAY 31 PM 1:37

ROBERT R. DI TOLIO  
CLERK, U.S. DIST. CT.  
WESTERN DISTRICT OF TENNESSEE  
UNITED STATES OF AMERICA,

Robert R. Di Tolio  
CLERK U.S. DIST. CT.  
W.D. OF TN. MEMPHIS

Plaintiff,

vs.

No. 03-20124-D

ANTONIO NEAL,

Defendant.

MOTION TO SET RESENTENCING

Comes now the defendant, Antonio Neal, by and through his court-appointed counsel of record, Michael J. Stengel, Esq., and in light of the Sixth Circuit's order filed March 30, 2005 (Exhibit A), moves this Court to set his resentencing.

Respectfully submitted,

**MOTION GRANTED**

DATE: May 31, 2005

*Bernice Bouie Donald*  
**BERNICE BOUIE DONALD**  
U.S. DISTRICT JUDGE

*Michael J. Stengel*  
Michael J. Stengel (12260)  
Attorney for Defendant  
50 N. Front Street, Suite 850  
Memphis, Tennessee 38103  
(901) 527-3535

Certificate of Service

I hereby certify that I have served a copy of the foregoing upon Ms. Lorraine Craig, Assistant United States Attorney, 167 N. Main Street, Room 800, Memphis, Tennessee 38103, this 31st day of May, 2005.

*Michael J. Stengel*  
Michael J. Stengel

170

Case No: 04-5595

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

ORDER

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

ANTONIO NEAL

Defendant - Appellant

**FILED**

MAR 30 2005

LEONARD GREEN, Clerk

Upon consideration of the appellant's motion to remand for  
resentencing in light of Supreme Court's decision in US v. Booker,  
And further considering the appellee's opposition thereto,  
Is it **ORDERED** that the motion be and it hereby is **GRANTED**  
and this case is hereby **REMANDED** in light of Booker.

ENTERED BY ORDER OF THE COURT

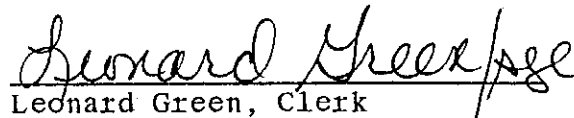
  
Leonard Green, Clerk

EXHIBIT A



## Notice of Distribution

This notice confirms a copy of the document docketed as number 170 in case 2:03-CR-20124 was distributed by fax, mail, or direct printing on June 2, 2005 to the parties listed.

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U.S. ATTORNEY'S OFFICE  
167 N. Main St.  
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Memphis, TN 38103

Honorable Bernice Donald  
US DISTRICT COURT